

MINUTE ITEM

22. SELECTION OF VACANT FEDERAL LAND, LIEU LAND APPLICATION NO. 5065, SACRAMENTO LAND DISTRICT, SHASTA COUNTY, H. L. MACTAGGART - S.W.O. 5867.

After consideration of Calendar Item 26 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE COMMISSION:

1. CANCELS THE APPLICATION OF H. L. MACTAGGART AS TO LOT 2 OF SECTION 35, T. 19 N., R. 1 W., H.M. (SIS 5065 - S.W.O. 5867);
2. DETERMINES THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT THE FEDERAL LANDS EMBRACED IN LOT 2 OF SECTION 35, T. 19 N., R. 1 W., H.M., CONTAINING 29.30 ACRES IN DEL NORTE COUNTY; AND
3. APPROVES THE SELECTION OF SAID LAND AND AUTHORIZES THE SALE THEREOF PURSUANT TO THE RULES AND REGULATIONS GOVERNING THE SALE OF VACANT STATE SCHOOL LAND.

Attachment

Calendar Item 26 (2 pages)

CALENDAR ITEM

26.

SELECTION OF VACANT FEDERAL LAND, LIEU LAND APPLICATION NO. 5065, SACRAMENTO LAND DISTRICT, SHASTA COUNTY, H. L. MACTAGGART, S.W.O. 5867.

On August 31, 1954, an offer was received from H. L. MacTaggart of La Mirada, California, to purchase 179.82 acres of vacant federal land in Shasta County, at \$899.10, or \$5 per acre. The State's application to select the land was filed with the United States Bureau of Land Management on September 2, 1954. By Decision dated June 21, 1956, said application was held for rejection by the U. S. Bureau of Land Management. On subsequent occasions the application was amended to substitute other lands. As a result of the order in which the amendments were filed the Bureau of Land Management clear listed (conveyed) to the State on July 28, 1958, Lot 2 of Section 35, T. 19 N., R. 1 W., H.M., containing 29.30 acres in Del Norte County. A decision has not as yet been rendered by the Bureau of Land Management with respect to the balance of the lands in the State's application, described as Lots 4, 9, 10, and 11, and the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 2, T. 30 N., R. 1 E., M.D.M., containing 179.82 acres in Shasta County.

By letter dated July 1, 1958, the applicant, H. L. MacTaggart, requested that the processing as to Lot 2 of Section 35, T. 19 N., R. 1 W., H.M., be handled independently of the remaining lands in his application, to the end that a sale would be consummated in the near future as to said Lot 2. Several months of processing by the Bureau of Land Management will be required before a conveyance of the remaining lands will be made to the State.

Section 1903(b) of Title 2, Division 3, California Administrative Code (rules and regulations of the State Lands Commission), provides as follows: "In addition to this filing fee, an expense deposit shall be made in an amount sufficient to cover the costs of the commission in processing the application. This deposit shall be in the amounts specified in the separate articles hereof. Should such initial expense deposit be insufficient to cover said costs, the applicant shall deposit with the commission, upon written notice, such additional sum as may be specified."

The minimum required expense deposit of \$100, of which there is a current balance of \$52.75, was submitted by the applicant at the time of filing of his original application. By letter dated June 9, 1959, the applicant was requested to submit, as a supplemental expense deposit, the sum of \$350, the amount estimated as needed to cover all costs, including appraisal, for processing his application as to said Lot 2. Since the applicant did not respond, another letter, under date of July 9, 1959, was directed to him, requesting the sum of \$350. A period of 10 days was allowed within which to deposit the required amount. A certified return-receipt card of the United States Postal Department shows delivery to Mr. MacTaggart on July 10, 1959. To date the applicant has not deposited the requested sum of \$350. It is therefore concluded that the applicant does not wish to proceed with his application as to said Lot 2 of Section 35, T. 19 N., R. 1 W., H.M.

CALENDAR ITEM 26. (CONTD.)

IT IS RECOMMENDED THAT THE COMMISSION:

1. CANCEL THE APPLICATION OF H. L. MACTAGGART AS TO LOT 2 OF SECTION 35, T. 19 N., R. 1 W., H.M. (SIS 5065 -- S.W.O. 5867);
2. DETERMINE THAT IT IS TO THE ADVANTAGE OF THE STATE TO SELECT THE FEDERAL LANDS EMBRACED IN LOT 2 OF SECTION 35, T. 19 N., R. 1 W., H.M., CONTAINING 29.30 ACRES IN DEL NORTE COUNTY; AND
3. APPROVE THE SELECTION OF SAID LAND AND AUTHORIZE THE SALE THEREOF PURSUANT TO THE RULES AND REGULATIONS GOVERNING THE SALE OF VACANT STATE SCHOOL LAND.